

1 H.10

2 Introduced by Representatives McFaun of Barre Town and LaClair of Barre

3 Town

4 Referred to Committee on

5 Date:

6 Subject: Municipal government; municipal charters; Town of Barre;

7 amendment

8 Statement of purpose of bill as introduced: This bill proposes to approve

9 amendments to the charter of the Town of Barre.

10 An act relating to approval of amendments to the charter of the Town of
11 Barre

12 It is hereby enacted by the General Assembly of the State of Vermont:

13 Sec. 1. CHARTER AMENDMENT APPROVAL

14 The General Assembly approves the amendments to the charter of the Town
15 of Barre as set forth in this act. Proposals of amendments were approved by
16 the voters on November 4, 2014.

17 Sec. 2. 24 V.S.A. App. chapter 101 is amended to read:

18 CHAPTER 101. TOWN OF BARRE

19 * * *

1 § 3. WARNINGS

2 (a) Public notice of every annual or special Town meeting or Town election
3 shall be given by a warning posted ~~in at least five public places~~ at the
4 municipal building, on the official Town website, and at three public places in
5 the Town, as designated by the Selectboard, at least 14 days prior to the
6 meeting; and published two times, on the same day of the week for two
7 consecutive weeks, in a newspaper having general circulation in the Town.
8 The first such publication shall be at least 10 days prior to the date of the
9 meeting.

10 * * *

11 § 7. NOMINATION OF CANDIDATES

12 Nominations of persons to fill Town offices shall be by petition containing
13 the signatures of at least 30 voters or one percent of the voters, whichever is
14 less. Petitions shall be filed with the Town Clerk, together with a written
15 assent signed by the nominee. Both petition and written assent shall be filed at
16 least ~~30~~ 45 and not more than ~~40~~ 55 days prior to the election. When a petition
17 is presented to the Town Clerk for filing, the Town Clerk shall immediately
18 examine the same and ascertain whether it conforms to the provisions of this
19 section. If not found in conformity, the Town Clerk shall designate the defect
20 in writing and return the petition, together with the written reason for rejection,
21 within six hours, to the candidate in whose behalf it was filed. Such petition

1 may again be presented when properly amended if this can be done within the
2 time allowed for filing such petition. All Town elections shall be nonpartisan
3 and no party designation or slogan shall be printed on any Town ballot or
4 petition.

5 * * *

6 § 33. COLLECTION OF TAXES

7 (a) Real and personal property taxes and other taxes, assessments, charges,
8 or levies by the Town shall be due either in one payment or in not more than
9 four ~~equal~~ installments, as equal as possible, on dates specified by the voters at
10 the annual Town election. If an interim tax rate has been set, the installments
11 shall be calculated as though it were not an interim rate. However, once the
12 budgets have passed, revised tax bills shall be sent to the taxpayers and the
13 remaining installments shall be calculated to offset equally, or as equal as
14 possible, the over-or-underpayment caused by the interim rate. Any
15 installment not paid when due shall be delinquent and there shall immediately
16 be added to the amount due a charge for late payment equivalent to five (5)
17 percent of the delinquent installment. For a period of 30 days immediately
18 following the due date, delinquent accounts shall be retained by the Treasurer
19 and shall be payable to his or her office.

20 * * *

1 § 34. BOARD OF ABATEMENT

2 (a) The Board of Civil Authority, together with the listers, shall constitute
3 the Board of Abatement. The ~~Chairman~~ Chair and Clerk of the Board of Civil
4 Authority shall serve as the ~~Chairman~~ Chair and Clerk, respectively, of the
5 Board of Abatement.

6 (b) The Board shall meet at least one time each year, at the call of the
7 Clerk, to consider all requests for abatement of any tax, ~~including any special~~
8 assessment, charge, or other levy made by the Town, or of any penalties,
9 interest, and other delinquent charges.

10 (c) Public notice of every meeting of the Board of Abatement shall be
11 given by posting ~~in~~ at the municipal building, on the official Town website,
12 and at least five three other public places within the Town, as designated by the
13 Selectboard, and by publishing the notice two times in a newspaper having
14 general circulation within the Town within at least two and not more than 10
15 days prior to the meeting.

16 (d) Any taxpayer may request abatement of any tax, assessment, charge, or
17 other levy, or any other penalties, interest, and other delinquent charges for
18 which ~~he or she~~ that individual is or may become liable. The Tax Collector
19 may also submit to the Board for its consideration such taxes, assessment
20 charges, or other levies, or penalties, interest, and other delinquent charges as

1 ~~he or she~~ the Tax Collector may see fit and may also offer ~~his or her~~
2 recommendations to the Board. If the Board finds:

3 (1) that there is no reasonable probability ~~that the tax can be collected,~~
4 of collection; or

5 (2) that the tax, assessment, charge, or other levy was not properly
6 assessed; or

7 (3) that all persons liable for tax, assessment, charge, or other levy have
8 died or removed from the State; or

9 (4) that the persons liable for the tax, assessment, charge, or other levy
10 are financially unable to pay same; or

11 (5) that collection of the tax, assessment, charge, or other levy would
12 work an injustice; or

13 (6) that collection of the tax, assessment, charge, or other levy would
14 create an undue expense for the Town, then the Board may abate the tax,
15 assessment, charge, or other levy, or the accrued penalties, interest, and other
16 delinquent charges in whole or in part. If wholly abated, all accrued penalties,
17 interests, and other delinquent charges shall also abate in full. If partly abated,
18 such penalties, interests, and charges shall abate pro rata.

19 * * *

20 Sec. 3. EFFECTIVE DATE

21 This act shall take effect on passage.